

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

FEDERAL TRADE COMMISSION and
PEOPLE OF THE STATE OF ILLINOIS

Plaintiffs,

V.

ACIA17 Automotive, Inc., a Delaware Corporation d/b/a LEADER AUTO GROUP etal.

Case No. 24-cv-13047

Judge Jorge L. Alonso

DEFENDANT JAMES DOUVAS' MOTION TO DISMISS COMPLAINT

Pursuant to FRCP 12 (b)(1) and 12 (b)(6) Defendant, James Douvas, by and through his attorneys, ML LeFevour & Associates, Ltd., hereby moves this Court for an Order dismissing with prejudice the Federal Trade Commission's ("FTC") and the Illinois Attorney General's ("ILAG") Complaint for Permanent Injunction, Monetary Judgment, Civil Penalty Judgment and Other Relief (Dkt. 1) for lack of subject matter jurisdiction and for failure to state a claim upon which relief can be granted.

As set forth more fully in the accompanying memorandum of law, the grounds for the motion are as follows:

1. The FTC and the ILAG do not and cannot establish that this Court has subject matter jurisdiction over the FTC's and the ILAG's request for injunctive relief and damages because the FTC and the ILAG cannot establish that James Douvas was involved in commerce or continues to involve himself in commerce since September 2023, 15 months prior to the filing of the Complaint, thereby extinguishing any subject matter jurisdiction on the claims pursuant to FRCP 12 (b)(1).

2. That the Stipulated Order from January 2, 2025 (Dkt. 15) released James Douvas from any liability and thereby extinguished this Court's subject matter jurisdiction over this case pursuant the FRCP 12 (b)(1).

3. Pursuant to FRCP, 12 (b)(6), The Complaint must be dismissed because it does not comply with FRCP 8 and 9, and does not contain a plain statement of the claims against James Douvas.

James Douvas requests an oral hearing on the Motion.

Dated February 17, 2025.

Respectfully submitted,

Mark L. LeFevour

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